



ORDINANCE No. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

AN ORDINANCE AMENDING ZONING DISTRICT MAP 043, TO REZONE A 21.62-ACRE PORTION OF ASSESSOR'S PARCEL NUMBER 23-230-23 LOCATED AT 10084 FOREST SPRINGS DRIVE AND 10030 AND 10174 LADY JANE ROAD, GRASS VALLEY, CALIFORNIA, FROM RESIDENTIAL AGRICULTURAL WITH A 1.5-ACRE MINIMUM (RA-1.5) TO MULTI-FAMILY MEDIUM DENSITY RESIDENTIAL WITH THE MOBILEHOME PARKS AND PLANNED DEVELOPMENT COMBINING DISTRICTS (R2-MH-PD); AND

TO REZONE ASSESSOR'S PARCEL 23-300-64 LOCATED AT 15219 BEEMAN LANE, GRASS VALLEY, CALIFORNIA, TO ADD THE SUBDIVISION LIMITATION COMBINING DISTRICT TO THE EXISTING MULTI-FAMILY MEDIUM DENSITY RESIDENTIAL DESIGNATION (R2-X) (Z13-006) (FOREST SPRINGS, LLC. PROPERTY OWNER)

THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA, STATE OF CALIFORNIA, ORDAINS AS FOLLOWS:

SECTION I:

That the 21.62-acre portion of Assessor's Parcel Number 23-230-23 ("Site A"), which is located east of State Route 49, west of the Forest Springs Mobilehome Park Community and north of Lady Jane Road, be rezoned from the Residential Agricultural District with a 1.5-acre Minimum (RA-1.5) to the Multi-Family Medium Density Residential District with the Mobilehome Parks and Planned Development Combing Districts (R2-MH-PD) based on the following findings A-E:

- A. That the proposed amendment is consistent with and furthers the goals, objectives, policies, programs and implementation measures of the General Plan and the provisions of the Land Use and Development Code Chapter II Zoning Regulations, including the General Plan Policies outlined in finding II.A and Land Use and Development Code Section L-II 2.2.2.A.1, Section L-II 2.6.B, and Section L-II 2.7.4.B, providing for the further development of Site A as a Mobilehome Park;

- B. That Site A is physically suitable for the requested Multi-Family Medium Density District with the Mobilehome Parks and Planned Development Combining Districts (R2-MH-PD) for the anticipated use of the site as a Mobilehome Park based on access to publicly maintained roads, available infrastructure, as infill development, and as an expansion to the existing Forest Springs Mobilehome Park; and
- C. That the addition of the Mobilehome Park and Planned Development (PD) Combining Districts to Multi-Family Medium Density District (R2) will ensure that future development will not result in conflicts with surrounding land uses;
- D. The proposed amendment for Site A will bring the 21.62-acre portion into zoning conformance with the other lands that comprise the 116.10-acre Assessor's Parcel (APN 23-230-23);
- E. That the proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the County.

SECTION II:

That the 6.22-acre Assessor's Parcel Number 23-300-64 ("Site B"), which is located approximately 1,000 feet south of Site A, be rezoned to add the Subdivision Limitation Combining District (X) to the existing the Multi-Family Medium Density District (R2) for a resultant zoning designation of (R2-X) based on the following findings A-D:

- A. That the proposed amendment is consistent with and futures the goals, objectives, policies, programs and implementation measures of the General Plan and the provisions of the Land Use and Development Code Chapter II Zoning Regulations, including the General Plan Policies outlined in finding II.A and Land Use and Development Code Section L-II 2.2.1.A.1 and Section L-II 2.7.9.B limiting the further development of Site B;
- B. That Site B is physically suitable for the requested addition of the Subdivision Limitation Combining District (R2-X) for the continuation of the existing single-family residential use of the site based on access to publicly maintained roads and surrounding uses; and
- C. That the addition of the Subdivision Limitation Combining District (X) will ensure that future development of Site B is limited due to the presence of environmental resource constraints due to the presence of a perennial water body and will not result in conflicts with surrounding land uses;
- D. That the proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the County.

SECTION III:

Pursuant to Section L-II 1.3.D of Article 1 of Chapter II of the Land Use and Development Code of the County of Nevada, Zoning District Map No. 043 is hereby amended as follows:

Zoning District Map No. 043 is hereby amended as shown on Exhibit "A" attached hereto and made a part of this Ordinance. Said property of Site A comprises approximately 21.62-acres and is located at 10084 Forest Springs Drive and 10030 and 10174 Lady Jane Road, Grass Valley, California; and, said property of Site B comprises approximately 6.22-acres and is located at 15219 Beeman Lane.

All that certain property described on Exhibit "A", is hereby rezoned as follows: Site A from the Residential Agricultural District with a 1.5-acre Minimum (RA-1.5) to the Multi-Family Medium Density District with the Mobilehome Parks and Planned Development Combing Districts (R2-MH-PD), as defined in Chapter II of the Land Use and Development Code of the County of Nevada, as amended, and are hereby subject to the restrictions and allowable uses set forth therein and by Use Permit U13-008; and

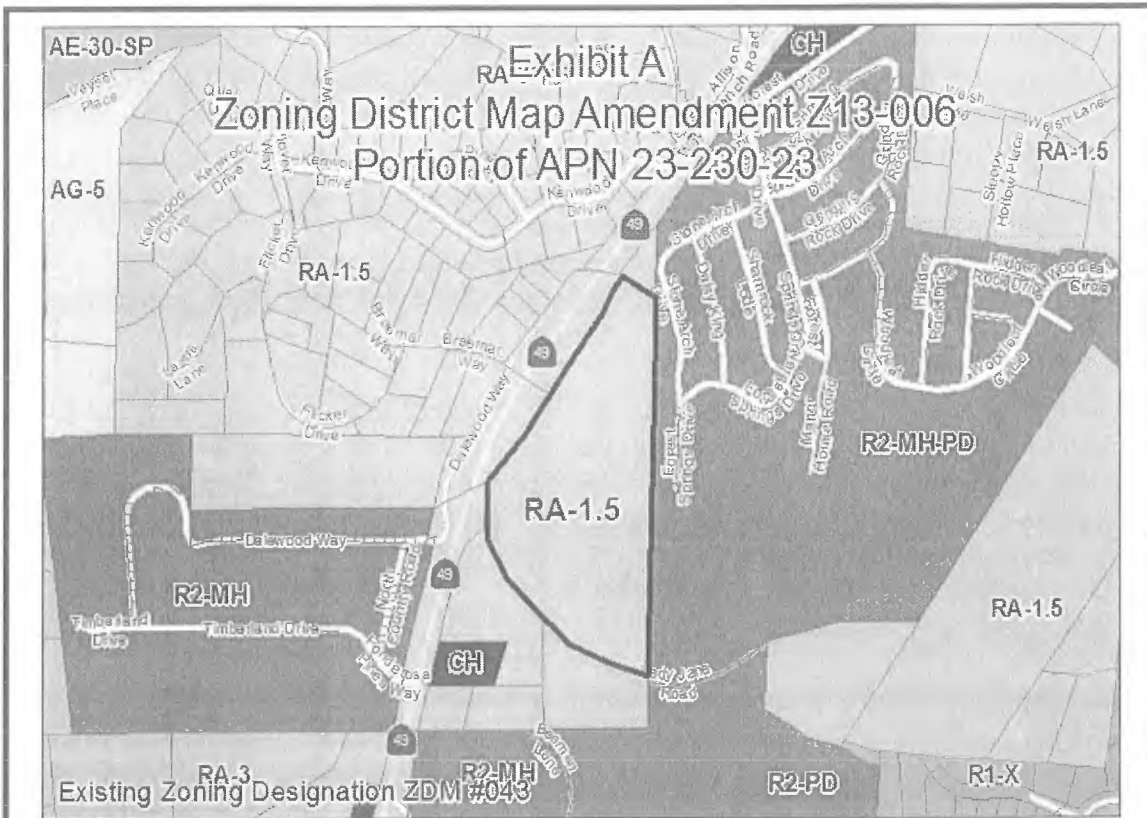
All that certain property described on Exhibit "B", is hereby rezoned as follows: The Subdivision Limitation Combing District (X) shall be added to the existing the Multi-Family Medium Density District (R2) for Site B resulting in a final zoning designation of (R2-X) as defined in Chapter II of the Land Use and Development Code of the County of Nevada, as amended, and are hereby subject to the restrictions and allowable uses set forth therein.

SECTION IV:

If any section, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and adopted this ordinance and each, section, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

SECTION V:

This Ordinance shall take effect and be in full force thirty (30) days from and after introduction and adoption, and it shall become operative on the _____ day of _____, 2015, and before the expiration of fifteen (15) days after its passage it shall be published once, with the names of the Supervisors voting for and against same in the Union, a newspaper of general circulation printed and published in the County of Nevada.



R2-MH

Exhibit B

Zoning District Map Amendment (Z13-006)

APN 23-300-64



Existing Zoning Designation ZDM #043



Proposed Zoning Designation ZDM #043

Map Prepared by Nevada County Planning Department
January 2013

96